

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

MAMADOU DRAME,	:	CIVIL ACTION NO. 1:18-CV-1730
	:	
Petitioner	:	(Chief Judge Conner)
	:	
v.	:	
	:	
CLAIR DOLL, et al.,	:	
	:	
Respondent	:	
	:	

ORDER

AND NOW, this 6th day of November, 2018, upon consideration of the petition (Doc. 1) for writ of habeas corpus pursuant to 28 U.S.C. § 2241 by petitioner Mamadou Drame (“Drame”), a detainee in custody of Immigration and Customs Enforcement in post-final order of removal status, in which Drame contends that the duration of his detention has exceeded constitutional bounds, and further upon consideration of the report (Doc. 8) of Magistrate Judge Martin C. Carlson, recommending that the court deny Drame’s petition, reasoning that Drame’s detention has not yet exceeded the six-month period deemed to be presumptively reasonable by the Supreme Court of the United States, (*id.* at 6-11 (citing Zadvydas v. Davis, 533 U.S. 678 (2001))), and that Drame’s alternative request that we direct prison officials to allow him to marry his United States citizen fiancée is beyond the purview of this habeas corpus proceeding, (*id.* at 11-12 n.1), and it appearing that no party has objected to the report, see FED. R. Civ. P. 72(b)(2), and the court noting that failure of a party to timely object to a magistrate judge’s conclusions “may result in forfeiture of *de novo* review at the district court level,” Nara v. Frank, 488

F.3d 187, 194 (3d Cir. 2007) (citing Henderson v. Carlson, 812 F.2d 874, 878-79 (3d Cir. 1987)), but that, as a matter of good practice, a district court should “afford some level of review to dispositive legal issues raised by the report,” Henderson, 812 F.2d 878; see also Taylor v. Comm'r of Soc. Sec., 83 F. Supp. 3d 625, 626 (M.D. Pa. 2015) (citing Univac Dental Co. v. Dentsply Int'l, Inc., 702 F. Supp. 2d 465, 469 (M.D. Pa. 2010)), in order to “satisfy itself that there is no clear error on the face of the record,” FED. R. CIV. P. 72(b) advisory committee notes, and, following independent review of the record, the court in agreement with Judge Carlson’s recommendation, and concluding that there is no clear error on the face of the record, it is hereby

ORDERED that:

1. The report (Doc. 8) of Magistrate Judge Carlson is ADOPTED.
2. Drame’s petition (Doc. 1) for writ of habeas corpus pursuant to 28 U.S.C. § 2241 is DISMISSED without prejudice to renewal at such time, if any, that Drame’s detention may become unreasonable and excessive.
3. The court finds no basis to issue a certificate of appealability. See R. GOVERNING SECTION 2254 CASES R. 11(a).
4. The Clerk of Court is directed to CLOSE this case.

/S/ CHRISTOPHER C. CONNER
Christopher C. Conner, Chief Judge
United States District Court
Middle District of Pennsylvania